

OCT 14 2008

Ralph E. Jocke
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TO : Mail Stop Appeal Brief - Patents
Commissioner for Patents
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TO FAX NUMBER: (571) 273-8300

SENDER: Ralph E. Jocke, Esq.

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COMMENTS: Please file in Application 09/193,564 (D1077+6), the attached
"Request for Rehearing of Board Decision"

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OCT 14 2008



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October 10, 2008

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Attn: Art Unit 3621
Patent Examiner Pierre Eddy Elisca

Re: **Application No.:** 09/193,564
Confirmation No.: 2181
Appellants: Drummond, et al.
Title: Automated Banking Machine and System
Docket No.: D1077+6

Sir:

In response to the Decision dated August 18, 2008, please find enclosed a Request for Rehearing pursuant to 37 C.F.R. § 41.52 for filing in the above identified application.

No fee is deemed required. However, the Commissioner is authorized to charge any necessary fee associated with the Request and any other fee due to Deposit Account 09-0428.

Very truly yours,

A handwritten signature of Ralph E. Jocke in black ink.

Ralph E. Jocke
Reg. No. 31,029

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.6(d)

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I hereby certify that, on the date shown below, this correspondence is being transmitted by facsimile to the Patent and Trademark Office at (571) 273-8300.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Application No.: 09/193,564 |) | |
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| In re Application of |) | |
| Drummond, et al. |) | |
| |) | |
| Appeal No.: 2008-1626 |) | Art Unit 3621 |
| |) | |
| Confirmation No.: 2181 |) | |
| |) | |
| Filed: November 17, 1998 |) | Patent Examiner |
| |) | Pierre Eddy Elisca |
| |) | |
| Title: Automated Banking |) | |
| Machine and System |) | |

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REHEARING OF BOARD DECISION

Sir:

Appellants hereby request rehearing of the Decision dated August 18, 2008 ("Decision")
by the Board of Patent Appeals and Interferences in Appeal No. 2008-1626 pursuant to 37 C.F.R.
§ 41.52.

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Request For Clarification Of The Record

Appellants respectfully submit that the summary presented in the "Order" section of the Decision (on page 14, at paragraph heading IX) includes typographical errors. Nowhere in the body of the Decision was the rejection of claims 17-20 affirmed. Conversely, the Decision at page 11, lines 1-2, specifically states "Therefore, we *reverse* the rejection of claim 17 and of claims 18-20, which depend therefrom." Thus, Appellants respectfully request that the record be corrected by having the "Order" section of the Decision be amended in a manner as follows:

In summary, the rejections of claims 1, 2, 4-7, 9, 11, and 14-16 [14-20] are affirmed.

The rejection of claims 3, 8, 10, 12, [and] 13, and 17-20, however, is reversed.

Clarification of the record to provide certainty that the rejections of claims 3, 8, 10, 12-13, and 17-20 were reversed in the Decision is respectfully requested by Appellants.

Respectfully submitted,



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